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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/625,257

07/23/2003

Masaki Sakuma

P/647-142

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07/06/2006

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EXAMINER

YUN, EUGENE

ART UNIT

PAPER NUMBER

2618

DATE MAILED: 07/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 10/625,257 | Applicant(s) SAKUMA, MASAKI | |
| | Examiner Eugene Yun | Art Unit 2618 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 and 9 is/are rejected.
- 7) ☒ Claim(s) 2-8 and 10-17 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Muller et al. (US 6,363,256).

Referring to Claim 1, Muller teaches a channel recovery method comprising the steps of:

monitoring whether no synchronization is established for a predetermined period of time between a radio base station and a radio base station control station which constitute a mobile communication system (see col. 3, lines 6-17); and

trying channel re-synchronization upon shifting a timing of a channel synchronization clock used for communication between the radio base station and the radio base station control station (see col. 4, lines 9-22).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Muller in view of Grosskopf et al. (US 5,546,574).

Referring to Claim 9, Muller teaches a mobile communication system including one maintenance/monitoring console, a plurality of radio base station control stations connected to said maintenance/monitoring console, a plurality of radio base stations connected to said radio base station control stations, and a plurality of mobile units which communicate with said radio base stations (see col. 2, lines 40-55),

said radio base station including

channel synchronization loss determining means for determining a channel synchronization loss when no synchronization is established in a channel with one of said radio base station control stations which is connected to one of said radio base stations for a predetermined period of time (see col. 3, lines 6-17),

re-synchronization control means for trying channel re-synchronization upon shifting a timing of a channel synchronization clock used for communication with said radio base station control station connected to said radio base station (see col. 4, lines 9-22).

Muller does not teach notifying means for, when channel re-synchronization fails, notifying said maintenance/monitoring console of the failure. Grosskopf teaches notifying means for, when channel re-synchronization fails, notifying said maintenance/monitoring console of the failure (see col. 3, lines 1-5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made

to provide the teachings of Grosskopf to said device of Muller in order to achieve resynchronization in a shorter period of time.

Allowable Subject Matter

5. Claims 2-8 and 10-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding Claim 2, Muller and Grosskopf do not teach, alone nor in combination, the combination of:

detecting a state change by monitoring, in a predetermined cycle, operation states of a plurality of cards constituting the radio base station and having different functions;

determining whether or not contents of a state change correspond to a channel disconnection of an operational channel; and

starting a channel synchronization loss detection timer in which a time during which a state change is monitored is set, thereby determining whether or not a channel synchronization loss has occurred.

Regarding Claim 10, Muller and Grosskopf do not teach, alone nor in combination, the combination of:

a plurality of cards constituting the home station and having different functions,

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a current-system SDM and a standby-system SDM which constitute a redundant arrangement and store a control program for operation of the home station and operation parameters for monitoring an operation state between the home station and said radio base station control station,

a shared memory in which a read operation parameter is expanded,

monitoring time setting means for monitoring operation states of said plurality of cards, in a predetermined cycle, of the operation parameters stored in said current-system SDM and said standby-system SDM, and

synchronization establishing means for defining a maximum trial time for channel re-synchronization.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (571) 272-7860. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571)272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Eugene Yun
Examiner
Art Unit 2618

EY



Matthew D. Anderson
Supervisory Patent Examiner